



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Kenneth J. Boutte and Ban D. Green

Serial No. 09/900,264

Filing Date: July 26, 2001

Examiner: Popovics, Robert J.

For: Method for handling
and Disposing of Drill Cuttings

Art Unit: 1724

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RESPONSE TO OFFICE ACTION OF JUNE 26, 2003

September 24, 2003

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action of June 26, 2003, kindly note the following:

The Applicants have amended their Claims by electing claims 1 – 10 and 22 – 31 for further examination, withdrawing from consideration Claims 11 – 21 and by adding new Claims 32 - 35 as set forth on the following sheet entitled "Amendments to Claims".

REMARKS

1. Claims 1-31 are pending in the application. The examiner noted that claims 1 – 31 were subject to a restriction requirement under 35 U.S.C. § 121. It was thought that Group I, Claims 1 – 10 and 22 – 31, were drawn to a Method for Handling and Disposing of Drill Cuttings, classified in class 210, subclass 770. It was that Group II, Claims 11 – 21, were drawn to a Separating/Compacting/Bagging Apparatus, classified in class 210, subclass 173. It was also thought that the inventions in each Group are distinct and that restriction is proper because different searches would be required for each group. It was thought that the apparatus of Group II could be used to practice another and materially different process, such as, in the treatment of animal waste, or in the dewatering of sewage.

Pursuant to the requirement for restriction, the Applicants hereby elect for further examination, without traverse, the invention construed by the Examiner to be set forth in Group I, Claims 1 – 10 and Claims 22 - 31 and hereby withdraw Claims 11 - 21. Note that claim 28 has been amended to add the word -- of -- immediately after the phase -- additional step—in the claim.

2. Further, the Application was thought by the Examiner to contain claims directed to the following patentably distinct species of the claimed invention:

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